

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JARVON D. GREEN,

Plaintiff,

v.

PHILLIPS, *et al.*,

Defendants.

No. 1:23-cv-1032 JLT BAM (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING THE
ACTION WITH PREJUDICE, AND
DIRECTING THE CLERK OF COURT TO
CLOSE THE CASE**

(Doc. 12)

Jarvon D. Green is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The assigned magistrate judge screened the complaint pursuant to 28 U.S.C. § 1915A(a). The magistrate judge observed that while Plaintiff named the defendants in this action, he did not state any allegations. In addition, the magistrate judge observed the exhibits attached to the complaint did not relate to the named defendants. The magistrate judge concluded Plaintiff failed to state a cognizable claim and directed Plaintiff to file an amended complaint, or a notice of voluntary dismissal, within 30 days. (Doc. 8.) However, Plaintiff failed to take any action.

The magistrate judge next found Plaintiff failed to state a cognizable claim, failed to obey the Court's order, and failed to prosecute the action. (Doc. 12 at 2-4.) The magistrate judge recommended the action be dismissed with prejudice. (*Id.* at 4.) The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days.

(*Id.* at 3.) In addition, the Court warned Plaintiff that the failure to file timely objections may result in the waiver of rights on appeal. (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) Plaintiff did not file objections, and the deadline to do so expired.

According to 28 U.S.C. § 636 (b)(1)(C), this Court performed a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the magistrate judge's Findings and Recommendations are supported by the record and by proper analysis. Based upon the foregoing, the Court **ORDERS**:

1. The Findings and Recommendations issued on September 13, 2023 (Doc. 12), are adopted in full.
2. This action is dismissed, with prejudice, due to Plaintiff's failure to state a claim, failure to obey a court order, and failure to prosecute.
3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: **October 19, 2023**


UNITED STATES DISTRICT JUDGE